

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION

June 4, 2014

Mr. Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Wheeler:

On behalf of the Pennsylvania Department of Education, I am writing to express my support for your goal to bring high-speed broadband and Internet access to more classrooms and libraries by transforming the E-rate program. I know that technology is vitally important to the future of successful and effective education, and ensuring that all schools have equal and affordable access to this technology is of paramount importance.

It is my understanding, the Federal Communications Commission (FCC) will be releasing its reform plan in the coming weeks; therefore, I am writing to ask that you and your staff consider several important issues before finalizing the details of your plan.

Phase-Out of Certain E-rate Eligible Services – I understand that the plan may include the phase-out of legacy services, such as traditional voice and cellular services. Although these services may not be considered broadband, the elimination of E-rate subsidies for these services is going to have a substantial impact on school district and library budgets at a period when education funding is extremely scarce. I respectfully request the FCC plan not make any changes to these services until Funding Year 2017 or another phased-in time schedule in order for schools and libraries to make the necessary adjustments and identify other sources of revenue for these expenditures.

Definition of Consortia – In order to aggregate demand and lower costs, the FCC is placing a considerable emphasis on consortia applications – a system I know very well in Pennsylvania. From 2005 to 2010, the PA Act 183 eFund initiative created 26 regional wide area networks, providing cost effective broadband and Internet connectivity to 442 school districts, 109 non-public schools, 50 career and technical schools, 9 charter schools and 28 intermediate units. Those 26 regional WANs are interconnected through the PAIUnet backbone, creating a statewide, high-speed educational network. When considering what constitutes a consortium in the reform plans, I ask that you ensure the definition in no way excludes these vital regional consortia.

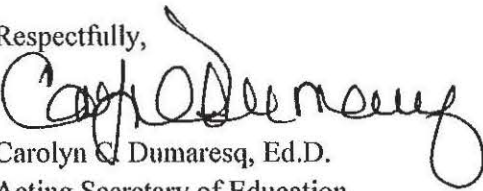
I also understand there are certain definitions being proposed that would require E-rate eligible consortia to be open to all public and non-public schools and libraries. While I am supportive of including those entities in most consortia models, in cases such as the PAIUnet backbone, consortia are sometimes created with a specific connectivity purpose and should not be restricted from the incentives that may be included in your plan.

Repeal of Queen of Peace for Master Contracts - Due to the FCC's Queen of Peace decision and the restrictions imposed on all applicants as a result of that decision, the Pennsylvania PEPPM master contract is no longer E-rate eligible. The intent of Queen of Peace was to ensure that schools had the opportunity to purchase equivalent products that may be less expensive and not restrict themselves to a single vendor responding to an RFP. However, master contracts that contain hundreds of equivalent manufacturer's product lines provide this opportunity and therefore meet this test. With the additional access to internal connections funding anticipated in the E-rate reform order, PEPPM and other similar master bulk-buying contracts will be essential to schools and libraries so they can procure E-rate eligible equipment in an efficient, cost-effective manner, using a competitively bid contract that places price as the most heavily weighted factor. I strongly encourage the FCC to immediately re-examine the Queen of Peace decision as it pertains to master contracts.

Webhosting Eligibility – In the July 2013 Notice of Proposed Rule Making, stakeholders were asked if webhosting should continue to be eligible for E-rate discounts. Although the February 2014 Public Notice was silent on this issue, I want to express my support for the continued eligibility of webhosting subsidies. While speaking with educators statewide, I am constantly reminded of the importance of a school's online presence and the role it plays in the education of our students and the engagement of their parents and the community. Rescinding E-rate support for webhosting services may be a step backwards in providing a 21st century education and I ask that you continue to provide funding for this valuable service.

If you have any questions related to these issues, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'Carolyn C. Dumaresq', written over a horizontal line.

Carolyn C. Dumaresq, Ed.D.
Acting Secretary of Education